

LAW OFFICES OF JOHN FITZPATRICK VANNUCCI
JOHN FITZPATRICK VANNUCCI (State Bar No. 174329)
1388 Sutter Street, Suite 605
San Francisco, CA 94109
Telephone: 415.981.7500
Facsimile: 415.981.5700

Attorney for Plaintiff
MICHAEL WALKER

SEDGWICK LLP
NICHOLAS J. BOOS (State Bar No.233399)
nicholas.boos@sedgwicklaw.com
KARA L. DIBIASIO (State Bar No.294547)
kara.dibiasio@sedgwicklaw.com
333 Bush Street, 30th Floor
San Francisco, CA 94104-2834
Telephone: 415.781.7900
Facsimile: 415.781.2635

Attorneys for Defendant
FINANCIAL INDEMNITY COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL WALKER, TASHELL
MITCHEL,

Plaintiffs,

v.

UNITRIN AUTO AND HOME INSURANCE
COMPANY, FINANCIAL INDEMNITY
COMPANY, UNITRIN DIRECT
PROPERTY AND CASUALTY COMPANY
and DOES 1 TO 25, inclusive,

Defendants.

Case No. 3:14-cv-03161--EMC

**STIPULATION TO EXTEND EXPERT
WITNESS DISCOVERY CUTOFF FOR
PURPOSE OF DEPOSITIONS;
[PROPOSED] ORDER**

F.R.C.P. 29(b)

Pursuant to the Federal Rules of Civil Procedure 29(b), Plaintiff Michael Walker
("Walker") and Defendant Financial Indemnity Company ("FIC"), by and through their attorneys
of record, hereby stipulate and agree that:

- 1) Plaintiff has represented that his claims expert David Frangiamore is out of the country until early January, 2016. Plaintiff has agreed that, in fairness, the claims experts should be deposed in chronological proximity so Defendant's claims expert Paul Hamilton should be deposed near the time that Plaintiff's expert David Frangiamore is available for deposition.
- 2) Plaintiff seeks to offer Rob Painter as an expert witness. Defendant has objected. Magistrate Judge Donna Ryu is currently considering whether or not to allow Mr. Painter to serve as an expert for Plaintiff. In the event Magistrate Judge Ryu allows Mr. Painter to so serve, Defendant will need to depose him.
- 3) Trial in this matter is set for April 16, 2016, so having these depositions go forward in January, 2016 will not adversely affect trial preparation. As such,
- 4) For the limited purpose of taking the depositions of Plaintiff's expert witness David Frangiamore and Defendant's expert witness Paul Hamilton, as well as Plaintiff's purported expert witness Rob Painter if allowed by Magistrate Judge Donna Ryu, the parties hereby stipulate to extend the current expert witness cut off from November 19, 2015 to January 31, 2016.

IT IS SO AGREED AND STIPULATED.

DATED: November 18, 2015

LAW OFFICES OF JOHN FITZPATRICK VANNUCCI

By:

John Fitzpatrick Vannucci
Attorney for Plaintiff
MICHAEL WALKER

DATED: November 25, 2015

SEDGWICK LLP

By:

Nicholas J. Boos
Kara L. DiBiasio
Attorneys for Defendant
FINANCIAL INDEMNITY COMPANY

ORDER

Pursuant to the parties' stipulation, IT IS HEREBY ORDERED as follows:

For the limited purpose of taking the depositions of Plaintiff's expert witness David Frangiamore and Defendant's expert witness Paul Hamilton, as well as Plaintiff's purported expert witness Rob Painter if allowed by Magistrate Judge Donna Ryu, the current expert witness cut off is extended from November 19, 2015 to January 31, 2016.

IT IS SO ORDERED.

DATED: November ²⁵ __, 2015

